

CITY OF TIGARD, OREGON

RESOLUTION NO. 03- 01

A RESOLUTION TO REVISE RESOLUTION NO. 00-08, CITYWIDE PERSONNEL POLICIES, UPDATING ELECTRONIC COMMUNICATION ARTICLE NO. 45-0

WHEREAS, the City Council previously adopted Resolution No. 00-08, Citywide Personnel Policies including Electronic Communication Article 45.0, and

WHEREAS, the City of Tigard needs to revise the Electronic Communication article to include a new section on the use of personal cell phones in the work place, and

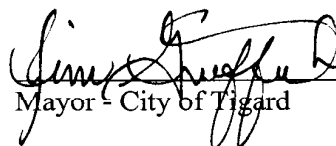
WHEREAS, the revisions to this article establish policy regarding the use of an employee's personal cell phone during work hours, and

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Citywide Personnel Policies, Electronic Communication Article 45.0 be revised to provide policy direction to staff on the use of personal cell phones in the work place as referenced in Exhibit A attached.

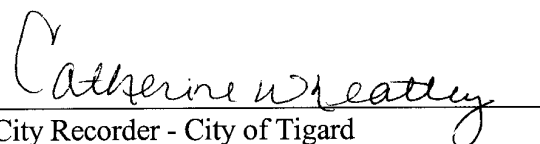
EFFECTIVE DATE: February 25, 2003

PASSED: This 25th day of February, 2003.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

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ELECTRONIC COMMUNICATION

It is the City's goal to enhance both external and internal communication through the use of various electronic communication tools. All electronic communication tools are the property of the City of Tigard. Employees should have no expectation of privacy in connection with the transmission, receipt, or storage of information in these electronic communication devices. The City follows the standards and practices set by the Oregon Government Standards and Practices Commission.

TELEPHONES/VOICE MAIL

The ability to make outgoing and receive incoming telephone calls is an essential element of the City of Tigard's ability to provide service to the public. The City's telephones and voice mail system are intended to be used only for official business.

The City believes, however, there are occasions when employees may use telephones for personal purposes without such usage being at odds with the law. It is normal practice by both public and private employers to permit employees to use business telephones to talk to family members, make medical appointments, schedule service technicians, confer with children's schools, and take care of any of a variety of other matters which can only be accomplished during "regular" work hours. The City believes it is less disruptive to permit employees to make such personal calls at their workstation than to require an employee to take a break or leave from work to take care of personal matters.

Personal telephone calls made during working hours from City telephones should, of course, be brief and infrequent. Personal long distance calls, even if the employee reimburses the City for the cost, may not be made on City telephones. If it is necessary for an employee to make personal long distance calls while at work, such calls must be made with the employee's personal calling card, by placing a collect call, or by calling from a pay phone.

CELLULAR TELEPHONES

The City provides cellular phones to their employees specifically to facilitate the carrying out of official business. The City's cellular phones are not for the convenience or personal use of employees. **This policy also applies to all City of Tigard employees and their use of personal cellular telephones during work hours. The two components of this section include: (a) use of City cellular phones and (b) use of personal cellular phones.**

(a) Use of City Cellular Phones

The instances when an employee may use a City cellular phone for personal purposes are limited. An example of an occasion when an employee's personal use of a City cellular phone would not violate Oregon Government Standards and Practices Commission guidelines would be to contact a spouse or childcare provider to advise that the employee is

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going to be late getting home or picking up children for a reason directly related to official duties such as a meeting which ran later than expected or a last minute change of schedule. Another permitted personal use of a City cellular phone by an employee would be receiving an incoming call regarding a family emergency. Employee will not be required to reimburse the City when the cellular telephone call follows these guidelines; that is, the personal call is directly related to official duties.

A City employee cannot make a personal cellular call even if he or she intends to reimburse the City at a higher rate than that generally available to the public.

(b) Use of Personal Cellular Phones

It is the City's goal for employees to perform their duties in a productive manner without the interference of personal cellular telephone calls. Employees may not activate or use personal cellular telephones during normal work hours or in staff work areas. Use of personal cellular telephones is permitted during an employee's personal time (rest and meal periods as referenced in Citywide Personnel Policy No. 34.0).

Exceptions may be made to this policy on a limited basis based on an employee's need to be readily available to a family member with a serious illness or health condition. Employees requesting an exception to this policy must provide written documentation of the need to be available and expected duration. This request must be submitted to their department head for approval.

Employees should also note that Citywide Personnel Policy No. 60.0 stipulates the City will not reimburse an employee for any lost or damaged personal property brought to the worksite by the employee. Any employee who chooses to bring personal property and/or equipment to the workplace does so at their own risk.

Employees who violate any citywide personnel policy are subject to disciplinary action, up to and including termination.

COMPUTERS/INTERNET/E-MAIL

Employees may not generally use computers owned by the City for personal purposes. However, there are some instances in which the City believes the use of computers for personal purposes would not violate the Oregon Government Standards and Practices Commission guidelines. For example, an allowable use would be the preparation of application materials for a different position with the City, or term papers for a City-sponsored class.

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Employees cannot use computers and the Internet for personal purposes that could potentially result in personal financial gain. Law specifically prohibits use of City-owned equipment to avoid financial expense or for personal financial gain.

The personal use of City computers and the Internet is permitted during lunch period, 1 hour before the normal work hours, 1 hour after the normal work hours, and the time between the end of an employee's "workshift" and the beginning of an evening meeting that the City requires the employee to attend. No personal use of computers or the Internet shall be allowed on an employee's day off unless the use is related to an educational purpose that is consistent with the City's policies and has been approved by the employee's supervisor.

The City has equipped their computers with access to the Internet in order to have access to information and to provide information to the public. Personal use of the Internet is subject to the same considerations as the use of the computer itself. If an employee uses Internet access through the City's equipment in order to avoid the financial expenses of subscribing to an Internet service as a personal expense, it is a violation of the law. City equipment may not be used at any time to access inappropriate sites or to transmit or receive inappropriate information. Pornography, hate groups, and off shore gambling, are examples of inappropriate sites and access to them is a misuse of City property.

Electronic mail (e-mail) is a communication tool provided to City employees to assist them in the performance of their job duties. E-mail is transported and processed via the Internet, so sending and receiving e-mail is considered a type of Internet usage. An employee who uses the e-mail system for personal or improper reasons bears any responsibility that might arise from that usage.

The City's e-mail system should not be used to produce a document that, using good judgment, would not be produced using any other form of office communication. Use of the City's e-mail system for commercial purposes or illegal activities is prohibited including the sending of "classified ad" types of information.